

Title 210 - NEBRASKA DEPARTMENT OF INSURANCE

Chapter 12 - INSURANCE CONSULTANTS LICENSES (AMENDED)

001. Authority. Pursuant to the authority vested in the Director of Insurance through Neb.Rev.Stat. §44-101.01 and Insurance Consultants Act, Neb.Rev.Stat. §§44-2607 through 44-2635, this regulation is promulgated

002. Purpose. This regulation is for the purpose of implementing and administering the licensing of insurance consultants, is applicable to persons who apply for a consultant's license, and is applicable to consultants that engage in the business of a "public adjuster" as herein defined.

003. Terms defined. Consultants as defined in §44-2607 shall include a Public Adjuster or any other person who may hold himself out to the public as engaged in the business of advising policyholders with respect to the benefits or advantages promised under policies of insurance that could be and have been issued in this state; or (2) who may assist a policyholder in determining the manner and amount of the right of payment under the applicable policy of insurance; or (3) who is employed by the policyholder either on the basis of a stipulated fee or on the basis of receiving a percentage of the amount of compensation paid to the policyholder under the applicable policy of insurance. Consultant shall not include a person who only processes or assists another person, policyholder or certificate holder in processing or submitting insurance claims.

004. Written examination. Each applicant must submit to a written examination of the Nebraska Insurance Code, general subjects of insurance and the line or lines in his applications:

004.01 Any holder of a license issued by the Department who enters active duty in military service of the United States may be issued a new license for the same line or lines without examination within ninety days of the termination of his active duty, provided he meets all other qualifications.

004.02 Any applicant who is disapproved for cheating on examinations or for other good cause cannot reapply for a period of at least one year. Any person who shall impersonate any other person or permit or aid in any manner any other person to impersonate him, in connection with any examination held in accordance with Chapter 44, cannot re-apply for a period of at least two years.

005. Catastrophe situations. In the event of a catastrophe or emergency which arises out of a disaster, act of God, riot, civil commotion, conflagration or other similar occurrence, the Director of Insurance may, upon application, issue an emergency license to persons

who are residents or nonresidents of this state and who may or may not be otherwise licensed consultants. Such emergency license shall remain in force for a period not to exceed 90 days, unless extended for an additional period of 90 days by the Director of Insurance. The applicant must be certified by a person licensed under the provisions of the Insurance Consultant Act and these regulations. The licensed consultant who certified said applicant under the provisions of this section of this Act shall be responsible for the loss or claims practices of the emergency license holder.

The fee for an emergency license shall be \$15 and shall be due and payable upon application.

006. Nonresident consultants. A person, not a resident of this state, may be licensed as an insurance consultant upon compliance with the provisions of Neb.Rev.Stat. §§44-2607 through 44-2635 and upon the filing of evidence of good standing or a letter of clearance from the insurance department or division of insurance of the state of the applicant's domicile if the applicant is in any way subject to the jurisdiction of said department or division.